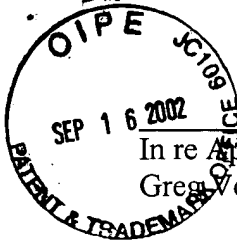


SERIAL NO. 09/916

ATTORNEY DOCKET HCC-011 (306\*142)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Greg Volgas *et al.*

Serial No. 09/916,611

Filing Date: July 27, 2001

For: Manufacture And Use Of A  
Herbicide Formulation

Group Art Unit: 1616

Examiner: Pryor, Alton Nathanier

RECEIVED

SEP 18 2002

TECH CENTER 1600/2900

Commissioner for Patents  
Washington, D.C. 20231

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING  
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST-  
CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR  
PATENTS, WASHINGTON, DC 20231 ON THIS 6<sup>th</sup> DAY OF September  
, 2002.

J. LYNN FERRY

**RESPONSE TO RESTRICTION REQUIREMENT/ELECTION OF SPECIES**

Sir:

In response to the Office Action mailed August 6, 2002, applicants elect the components in Example 1 as the species. Example 1 uses 2,4-dichlorophenoxy acetic acid and C<sub>11</sub> alcohol (OC<sub>2</sub>H<sub>5</sub>)<sub>3</sub> ethoxylate. Examples of the chlorinated carboxylic acid herbicides are listed starting at page 5 of the specification. The elected components read on Claims 1-66, 68-69, 71- 90.

No additional fee is due. If there are any additional fees due in connection with the filing of this response, including any fees required for an additional extension of time under 37 CFR 1.136, such an extension is requested and the Commissioner is authorized to charge or credit any overpayment to Deposit Account No. 03-2775.

A prompt favorable action is earnestly solicited. If the Examiner deems the election non-responsive, the applicants respectfully request that the Examiner contact the undersigned at (302) 88-6270.

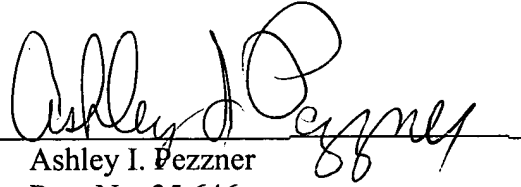
SERIAL NO. 09/916 1

ATTORNEY DOCKET NO. HCC-011 (306\*142)

Respectfully submitted,

CONNOLLY BOVE LODGE & HUTZ LLP

By

A handwritten signature in black ink, appearing to read "Ashley I. Pezzner", written over a horizontal line.

Ashley I. Pezzner

Reg. No. 35,646

Tel. (302) 888-6270

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